

# **EXHIBIT 7**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DONNA CURLING, ET AL.,

Plaintiffs,

vs.

CIVIL ACTION FILE  
NO. 1:17-CV-2989-AT

BRAD RAFFENSPERGER, ET AL.,

Defendants.

REMOTE VIDEOTAPED ZOOM DEPOSITION OF  
DAVID HAMILTON

January 18, 2022  
10:06 A.M.

Lee Ann Barnes, CCR-1852B, RPR, CRR, CRC

1 A. Right.

2 Q. This is an email from you to Nick Salsman,  
3 Ronnell Spearman, and Derek Hawkins.

4 Do you see that?

5 A. Correct. Those are the three security  
6 people on my team.

7 Q. And you say, "Guys, I would like to see if  
8 the other big counties have similar sites that have  
9 this vulnerability."

10 Do you see that?

11 A. Yes.

12 Q. You ask them, "Would you nose around  
13 Fulton, Gwinnett, DeKalb, Forsyth, et cetera and see  
14 if this developer possibly sold the same app to  
15 them?"

16 Do you see that?

17 A. Correct.

18 Q. Do you know if your -- these team members  
19 did that review?

20 A. They did.

21 Q. What did they find?

22 A. None of the counties they tested had the  
23 same vulnerability.

24 Q. Did you only test these about five  
25 counties?

1           A.     Right. Because we have 159 counties in  
2     Georgia. Right. It would be a manual test.

3           Q.     So you didn't --

4           A.     You'd have to go find out every single  
5     test and -- but usually it's only the big counties  
6     that have the money to do their own site instead of  
7     just forwarding it to the MVP or the OLVR.

8                     So I just told them to hit the big ones  
9     just to make sure. And that was just a -- truly a  
10    community thing. We just wanted to make sure that  
11    everybody was safe, not just us.

12          Q.     Were there -- was anything else done to  
13    ensure that other counties didn't have this same  
14    vulnerability?

15          A.     No, I think that was it. We just -- I had  
16    the guys do some vetting of those sites, and if --  
17    if one of them had come up, we would have done the  
18    same thing that we did with Cobb. We would have  
19    reached out and said, "You need to down your site  
20    until you get this fixed."

21          Q.     Previously, Mr. Hamilton, you gave some  
22    answers about the fact that, you know, security is a  
23    journey --

24          A.     Yeah.

25          Q.     -- not a destination and it involves, you

1 know, prioritizing certain remedies and that kind of  
2 thing. I just wanted to go back to that for one  
3 minute.

4 A. Sure.

5 Q. You would agree that the --

6 A. Sure.

7 Q. -- Secretary of State is responsible for  
8 what's considered critical infrastructure, including  
9 the election system, would you not?

10 A. Yes.

11 MR. MILLER: Objection. Lack of  
12 foundation. Calls for speculation.

13 BY MS. KAISER:

14 Q. And do you agree that all reasonable  
15 measures should be made to secure such critical  
16 systems?

17 MR. MILLER: Same objection.

18 THE WITNESS: Reasonable, right, yep,  
19 reasonable and appropriate. It's all based on  
20 judgment.

21 BY MS. KAISER:

22 Q. So you were not suggesting that it's  
23 appropriate to leave significant vulnerabilities  
24 unmitigated when you're dealing with --

25 (Cross-talk.)

1 A. Not at all.

2 Q. -- critical infrastructure?

3 MR. MILLER: Objection.

4 THE WITNESS: Not at all.

5 BY MS. KAISER:

6 Q. And you were not suggesting it's  
7 appropriate to take no measures to mitigate  
8 significant vulnerabilities with critical  
9 infrastructure systems?

10 MR. MILLER: Same objection.

11 THE WITNESS: Correct, I was not. If we  
12 can't fix it one way, there's usually other  
13 compensating controls that we can do. So...

14 BY MS. KAISER:

15 Q. I have a couple of questions about  
16 Georgia's prior election system, by which I mean the  
17 DRE voting system.

18 A. Oh, yeah. I probably won't be much --

19 Q. Are you aware of any --

20 A. -- help there, but --

21 Q. Are you aware of any efforts made by  
22 anyone in the Secretary of State's office to  
23 determine whether malware was located on any  
24 component of the -- of the prior DRE system?

25 MR. MILLER: I'm going to note an

1 objection on relevance here.

2 And, Mary, if you'll just allow me the --  
3 humor me to have a running objection on this  
4 line of questions for the old system.

5 THE WITNESS: Yeah, I wasn't around then,  
6 so I just don't have any personal knowledge.

7 BY MS. KAISER:

8 Q. What components of the DRE system were  
9 carried over or used at any point in time with the  
10 new voting system, the BMD system?

11 MR. MILLER: The same objection. Lack of  
12 foundation.

13 THE WITNESS: I -- I don't really know  
14 what was there before; I can only tell you what  
15 was there when I got there. So...

16 BY MS. KAISER:

17 Q. So you don't have any knowledge about  
18 whether equipment or servers were reused?

19 A. I think initially they probably reused the  
20 servers while they were waiting to put in the new  
21 ones. But that's just a piece of hardware. So...

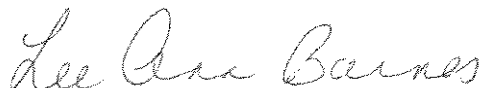
22 At -- at one point, PCC, the company, had  
23 the responsibility for the operations side, and when  
24 that transferred to the Secretary of State, there  
25 was a big refresh of hardware that came with it.

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